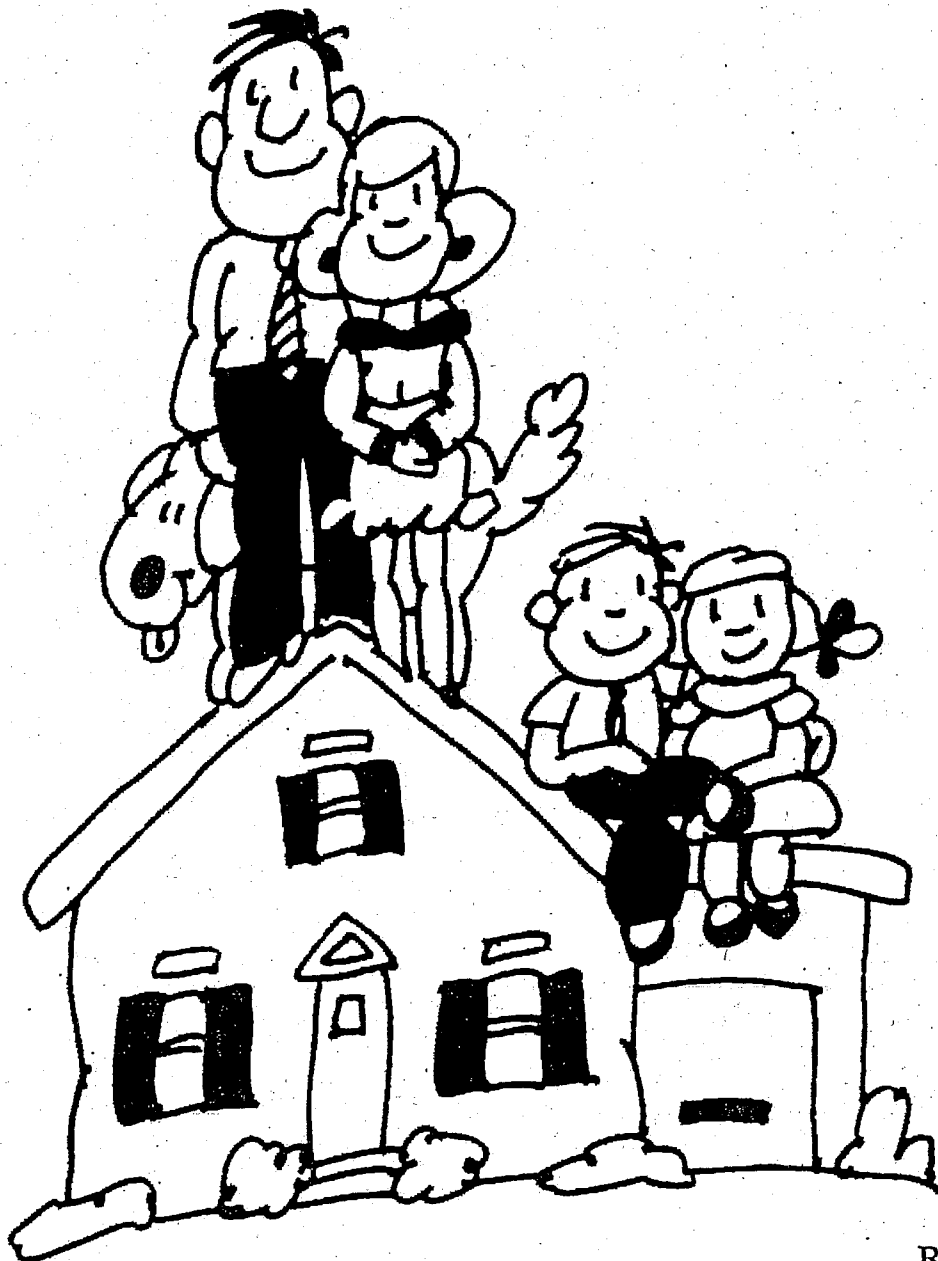


City of Mountain View  
Community Development Department

# Zoning Handbook for the Single Family Homeowner

R1 Zoning District



Revised JULY 2000

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# **I. USE OF THE BOOKLET**

## **What Is the Purpose of This Booklet?**

This guidebook has been prepared as an aid for homeowners in understanding zoning regulations pertaining to R1 zoned properties. It will help homeowners determine the allowable use of their property and assist in the planning of a residential construction project.

The City's intent in preparing this guidebook is to help make the rules understandable and to make the review process for special circumstances go smoothly.

The City believes strongly in taking a constructive approach as we provide information and review applications. We try to explain the intent of the regulations and help find workable solutions. In all cases, we seek to help homeowners find design schemes that meet their needs and at the same time respect the interests of their neighbors.

## **What Information Is in This Booklet?**

This guidebook is divided into three sections:

- I. Use of the Booklet** describes where to get information.
- II. Zoning Rules** describes the ordinance criteria every construction project must meet.

## **III. Zoning Review Processes**

describes the types of zoning permits required, the decision-making bodies and the review process.

The information contained in the guide may be found in several sections of the Mountain View City Code (Chapter 36, Zoning). This guidebook attempts to simplify these regulations into clear, everyday language. To locate the specific regulations in the Zoning Ordinance text, the ordinance section numbers have been included in this guidebook in parentheses at the end of the description.

## **Where Can I See a Copy of the Mountain View Zoning Ordinance?**

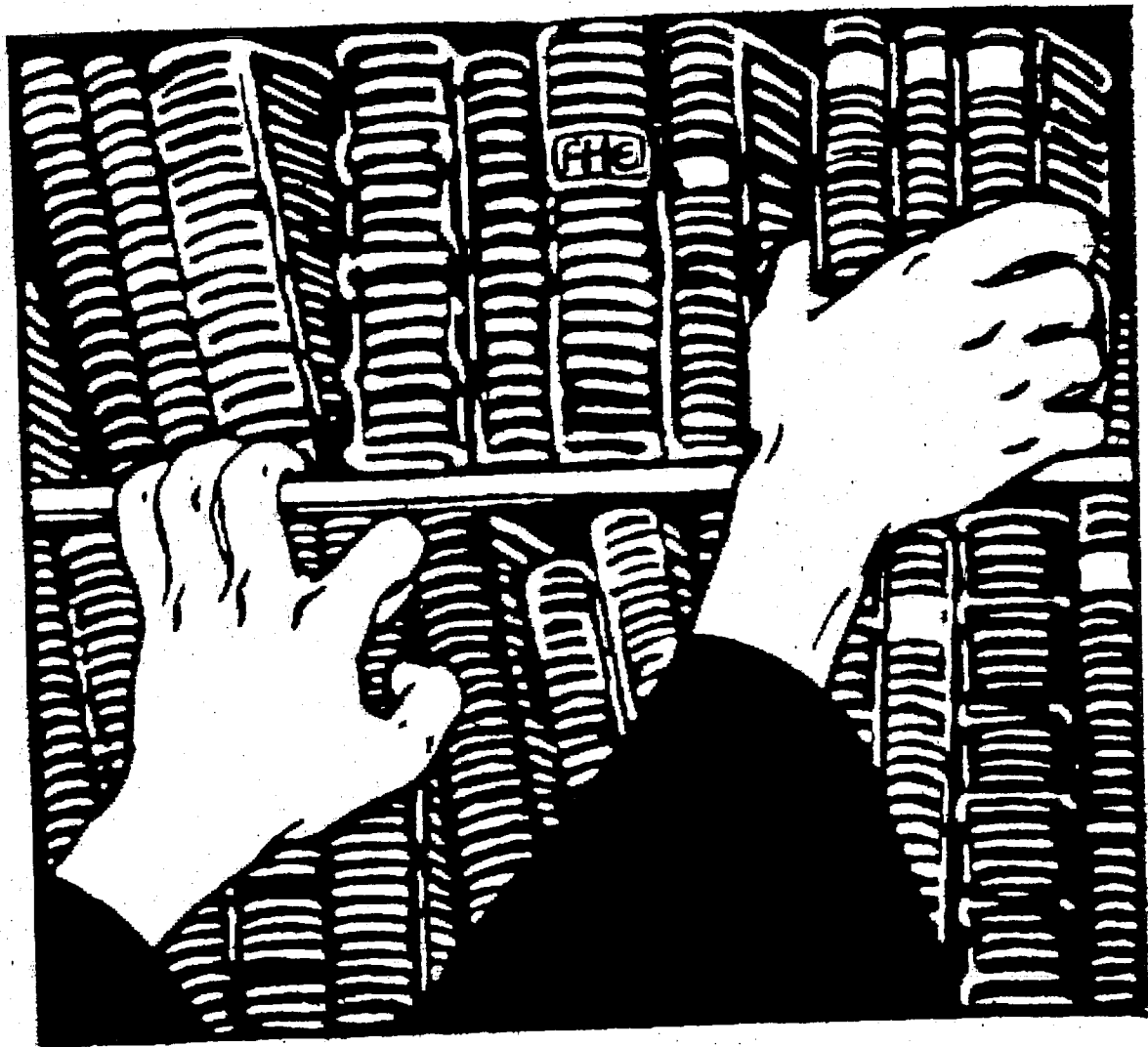
Copies of the Mountain View Zoning Ordinance are available at the Development Services counter in the Community Development Department and on-line at [www.ci.mtnview.ca.us](http://www.ci.mtnview.ca.us).

## **Who Can I Talk to for Help?**

If you have any questions concerning the information in this guidebook or with your specific project, you may contact the City of Mountain View Community Development Department by phone at (650) 903-6306 or by coming to the Development Services counter and asking to speak to the Planner on duty.

# Zoning Rules

Uses of Property in the R1 District





## **II. ZONING RULES**

### **A. USES OF PROPERTY IN THE R1 DISTRICT**

#### **What Uses Are Allowed by Right in an R1 District?**

The R1 District is intended for single-family residential dwellings. A dwelling is defined as a structure containing one kitchen and one or more rooms for living and sleeping purposes. By State law, small family child-care homes (up to six children) and small licensed residential care homes (up to six residents) are also allowed by right in single-family dwellings.

#### **What Are Accessory Uses?**

The following uses are automatically permitted as "accessory" uses:

- Rooming and boarding of not more than two persons.
- Home occupations. (Section 36.39.3)
- Other accessory buildings/uses which are related to a single-family home such as parking, garages, storage sheds, etc. (Section A36.12.040.G)

#### **What Other Types of Uses Are Allowed in the R1 District?**

The following uses may be permitted if a Conditional Use Permit is granted by the City and if appropriate licensing is

obtained from the County or State. (Section A36.12.020)

- Child-care centers and large family child-care homes.
- Companion units.
- Rooming and boarding houses.
- Churches or religious institutions.
- Schools or educational facilities.
- Public utility buildings.
- Public recreational facilities.
- Off-street parking lots.
- Temporary tract offices.
- Residential care homes (more than six unrelated persons).

## B. BASIC DEVELOPMENT REGULATIONS IN THE R1 DISTRICT

### PROPERTY LINES

#### Where Are My Property Lines?

A look at your deed or the County Assessor's parcel books will provide you with your property dimensions. Parcel books are located at the Community Development Department and Public Works Department counters. If measurements between fences indicate a discrepancy between the known dimensions, you will need to hire a surveyor or engineer to determine your property lines. Generally, your fences are located on the side and rear property lines. However, over time, the location of reconstructed fences may not coincide with the underlying lot lines. Fences do not necessarily establish your legal property lines.

It is very important to note that your property line at the street is often not located at the back edge of the sidewalk. For the majority of lots, the City right-of-way extends 5' behind the sidewalk, which is typically the area that you landscape and consider part of your yard. In considering an addition, it is very important to find out where your front or side property is located. Check with the Public Works Department regarding the location of your property line relative to the City street right-of-way.

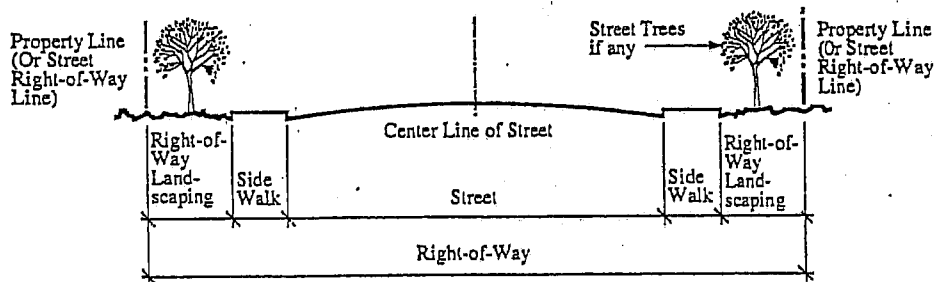


Figure 1A.  
Typical Property Line Locations

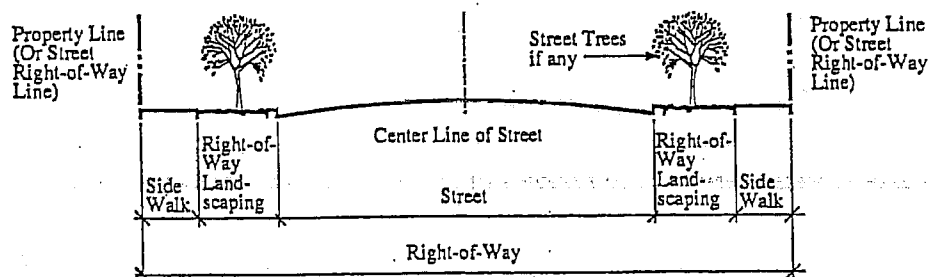
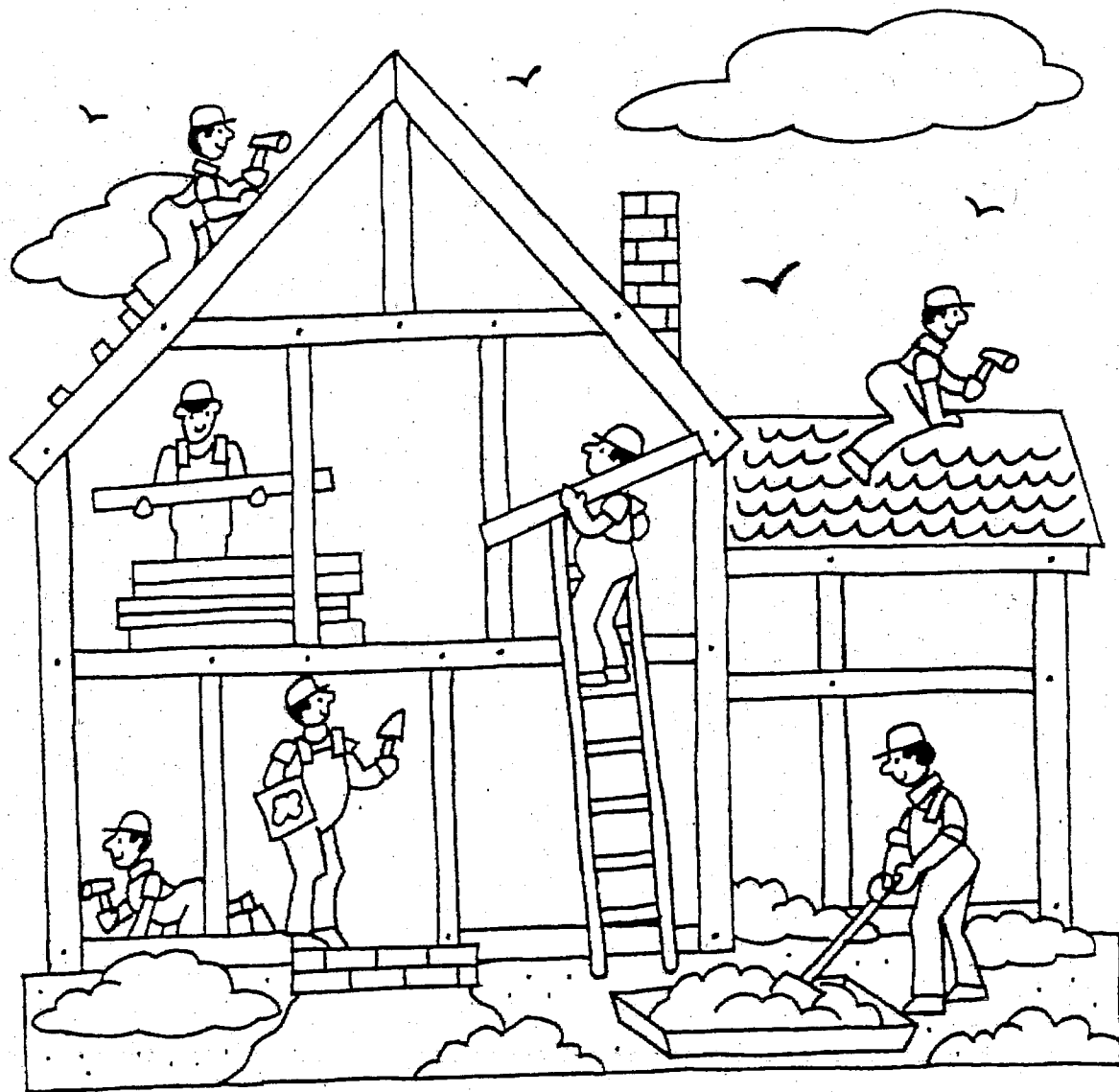
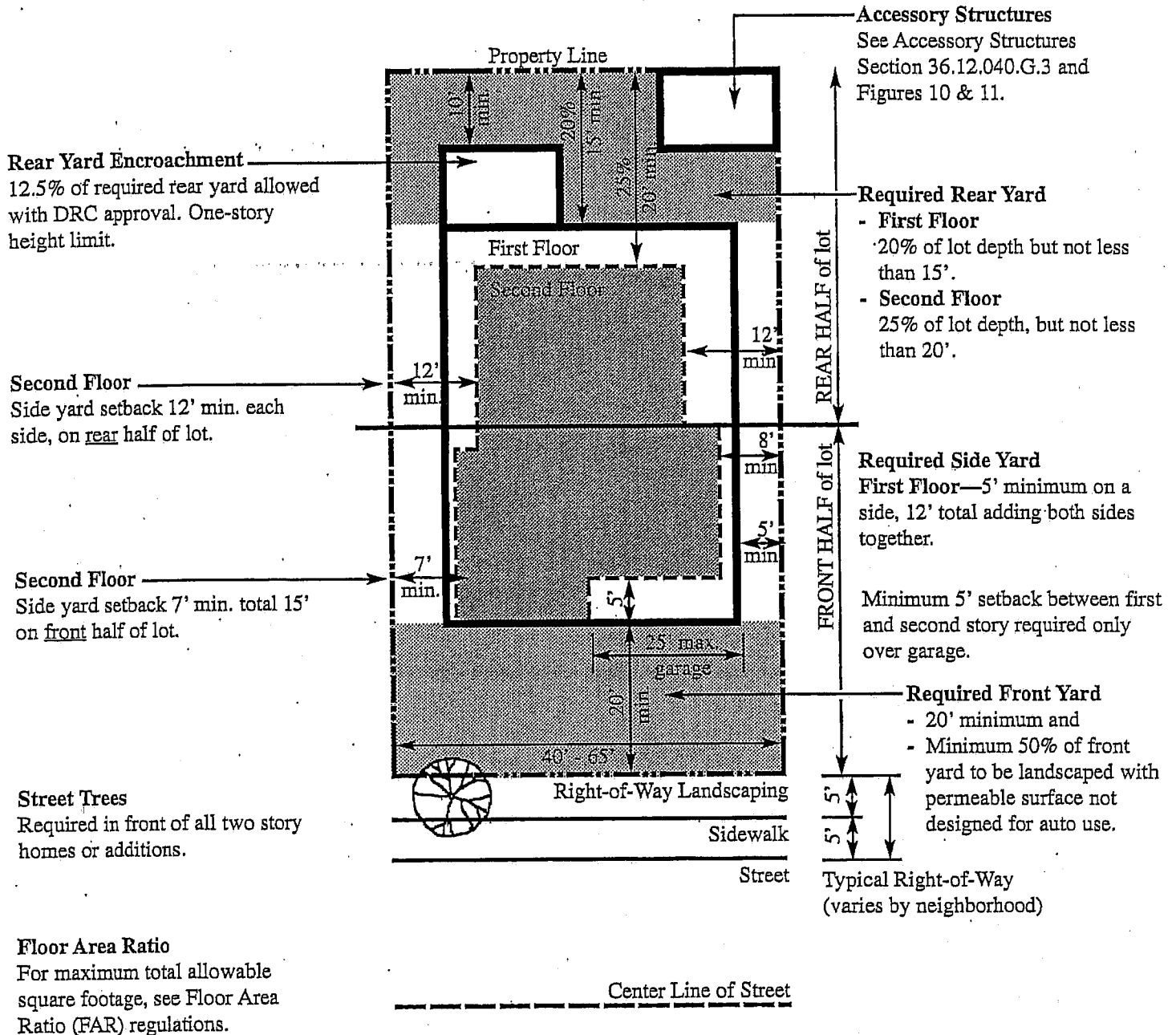


Figure 1B.  
Other Property Line Locations

# R1 District Lots



## R1 District Lots 40' to 65' Wide: Setback Requirements

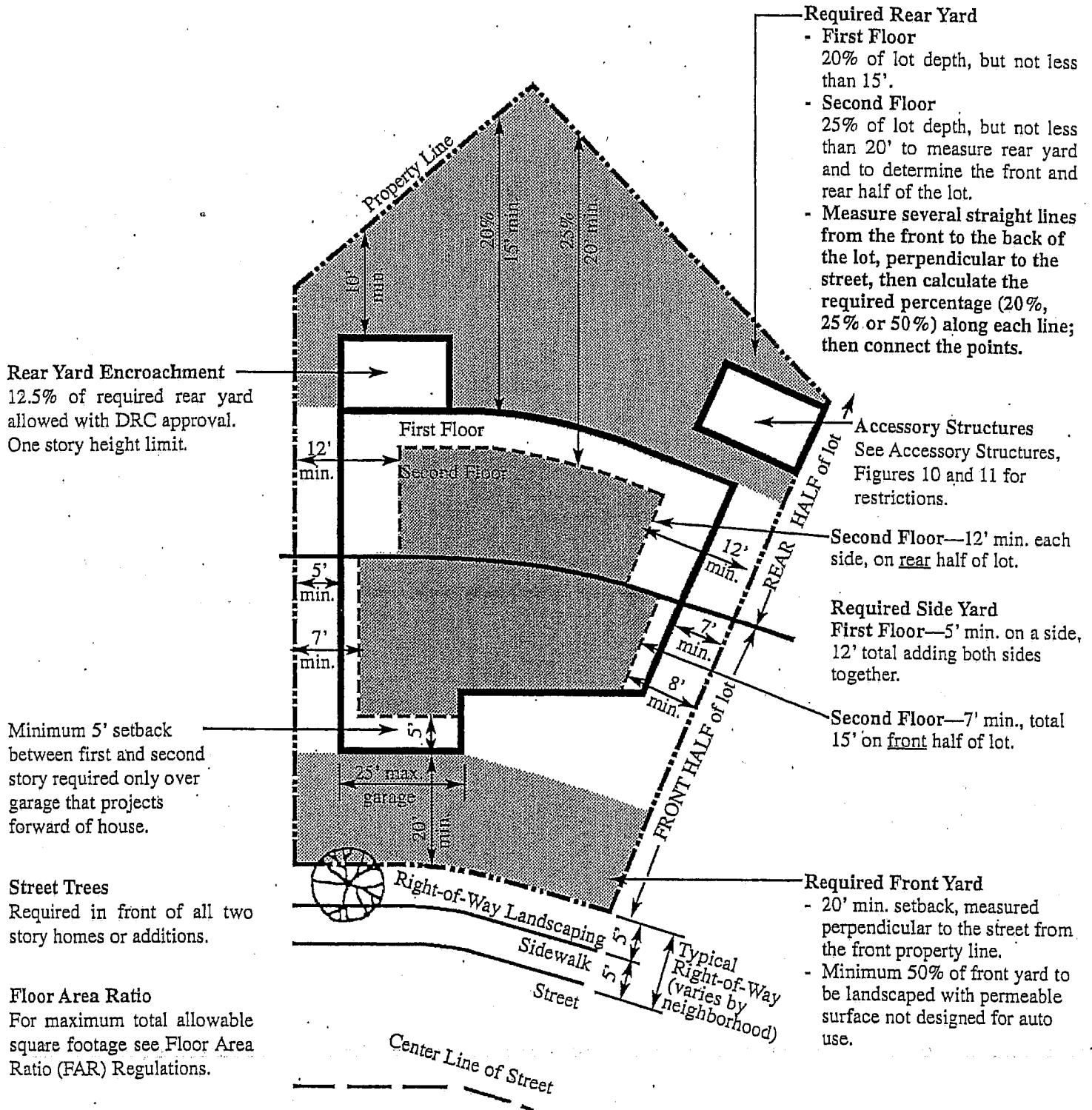


Setback requirements to be used in conjunction with the provisions of the R1 Zoning Ordinance and the Design Guidelines for Single-Family Homes

Figure 2

# R1 District Lots Irregular Shapes

## 40' to 65' Wide: Setback Requirements



Setback requirements to be used in conjunction with the provisions of the R1 Zoning Ordinance and the Design Guidelines for Single-Family Homes

Figure 8

Center Line of Street

Street

Sidewalk

Right-of-Way Landscaping

Property Line

First Fl.

Second Floor

Required Side Yard

First Floor and Second Floor 15' min.

45' min. building setback

10' min.

20' min.

15' min.

25% min.

20' min.

15' min.

5' min.

20' min.

Right-of-Way Landscaping

Sidewalk

Street

Center Line of Street

Accessory Structures  
See Accessory Structures, Figures 10 and 11, for restrictions.

Required Rear Yard

- First Floor  
20% of lot depth, but not less than 15'.
- Second Floor  
25% of lot depth, but not less than 20'.

Required Side Yard

- First Floor 5' min.
- Second Floor 7' min.

Required Front Yard

- 20' min. setback and
- Minimum 50% of front yard to be landscaped with permeable surface not designed for auto use.

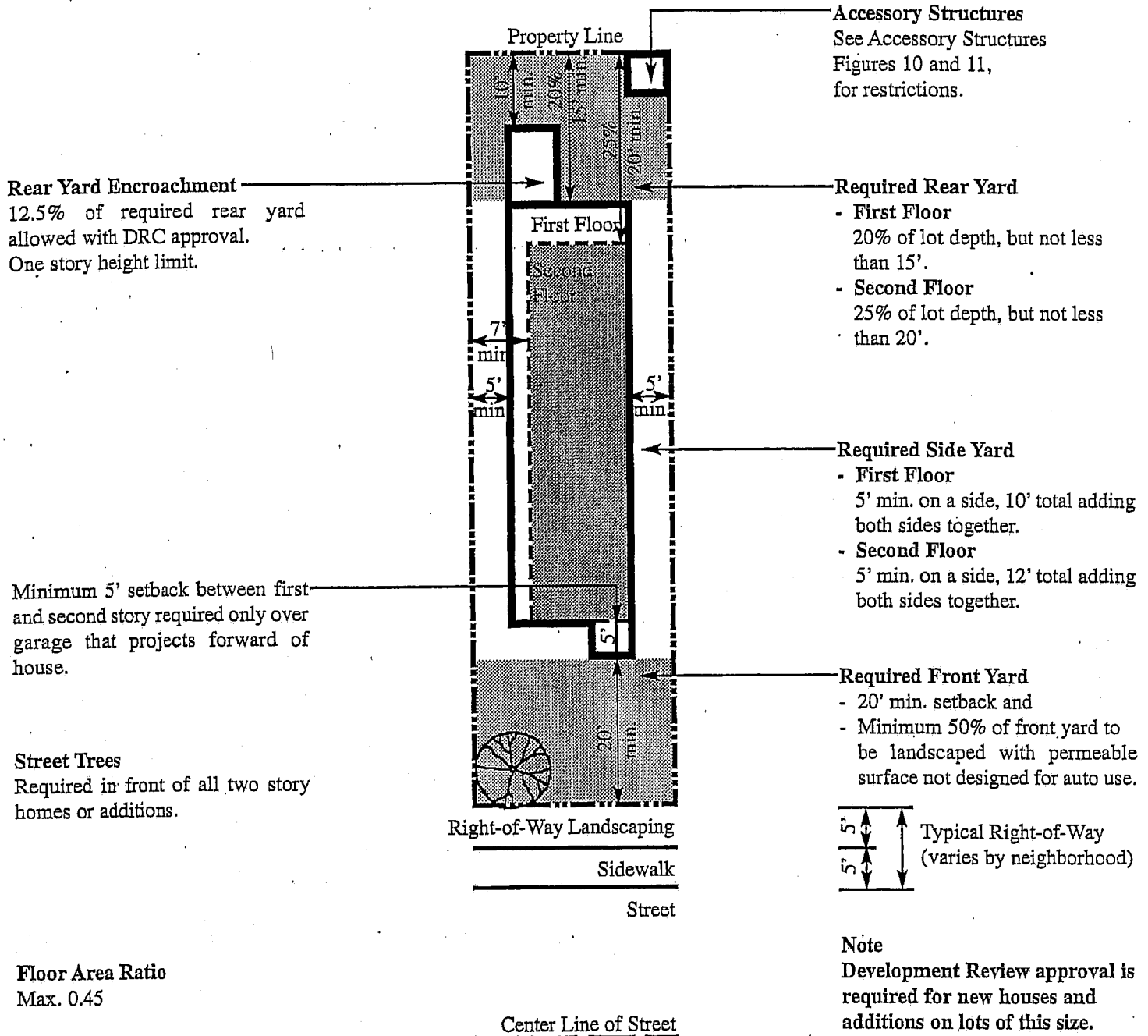
Typical Right-of-Way (varies by neighborhood)

Note  
Development Review approval is required for new houses and additions on lots of this size.

**Note**  
Development Review approval is  
required for new houses and  
additions on lots of this size.

Figure 7

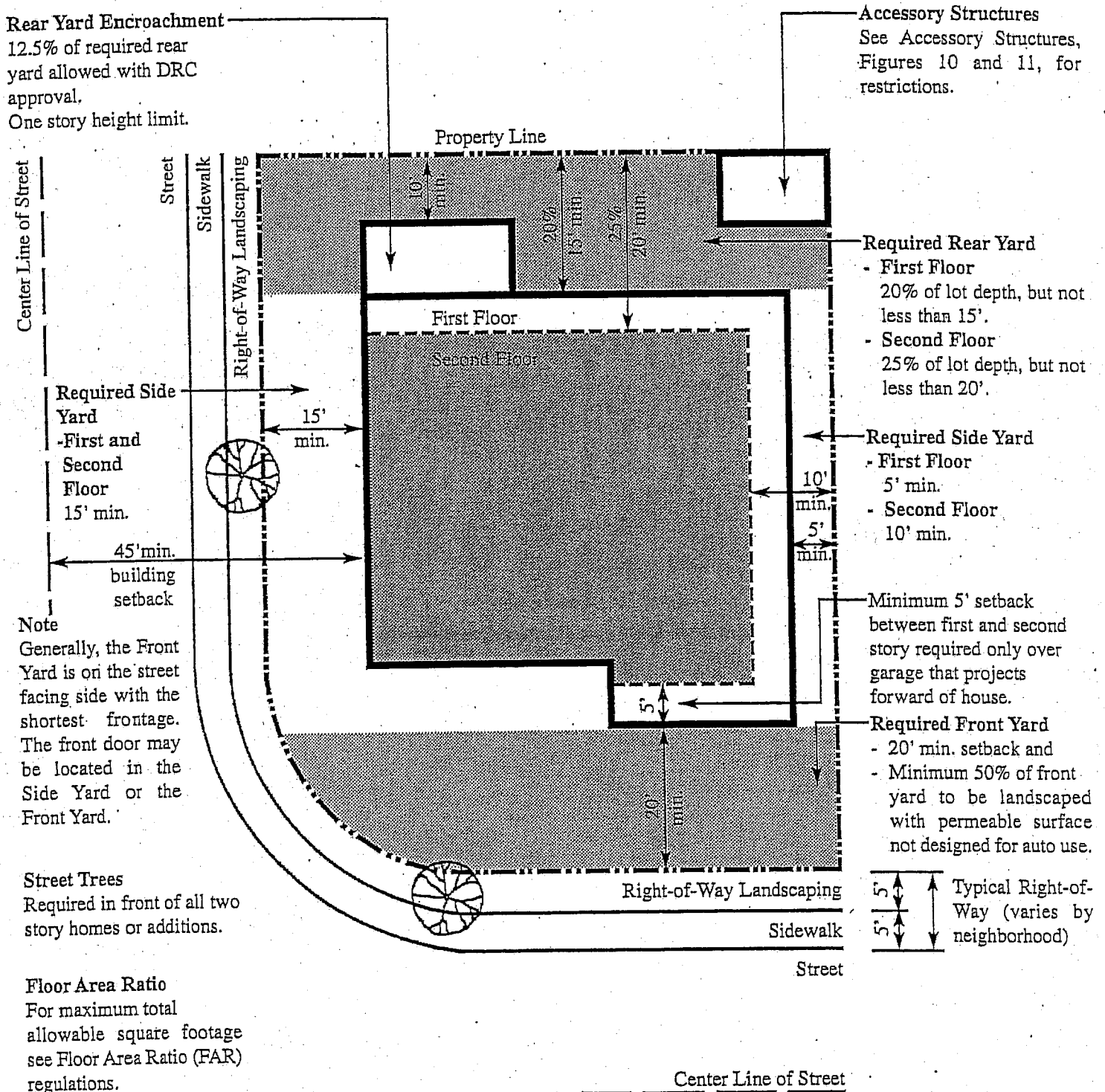
# R1 District Lots Less than 40' Wide or Less than 5000 s.f.: Setback Requirements



Setback requirements to be used in conjunction with the provisions of the R1 Zoning Ordinance and the Design Guidelines for Single-Family Homes

Figure 6

# R1 District Corner Lots Greater than 65' Wide: Setback Requirements

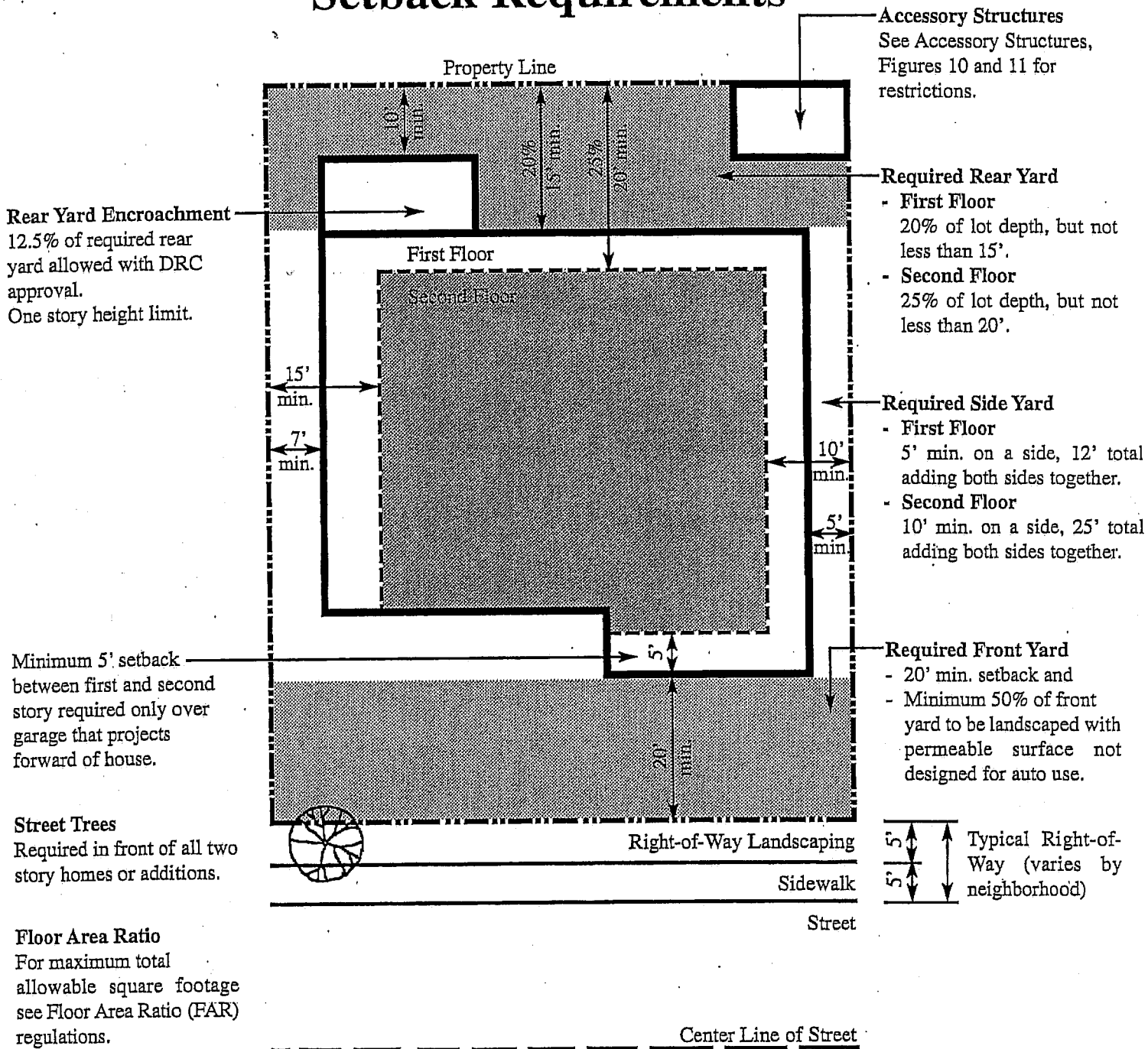


Setback requirements to be used in conjunction with the provisions of the R1 Zoning Ordinance and the Design Guidelines for Single-Family Homes

Figure 5



# R1 District Lots Greater than 65' Wide: Setback Requirements



Setback requirements to be used in conjunction with the provisions of the R1 Zoning Ordinance and the Design Guidelines for Single-Family Homes

Figure 4

# R1 District Corner Lots 40' to 65' Wide: Setback Requirements

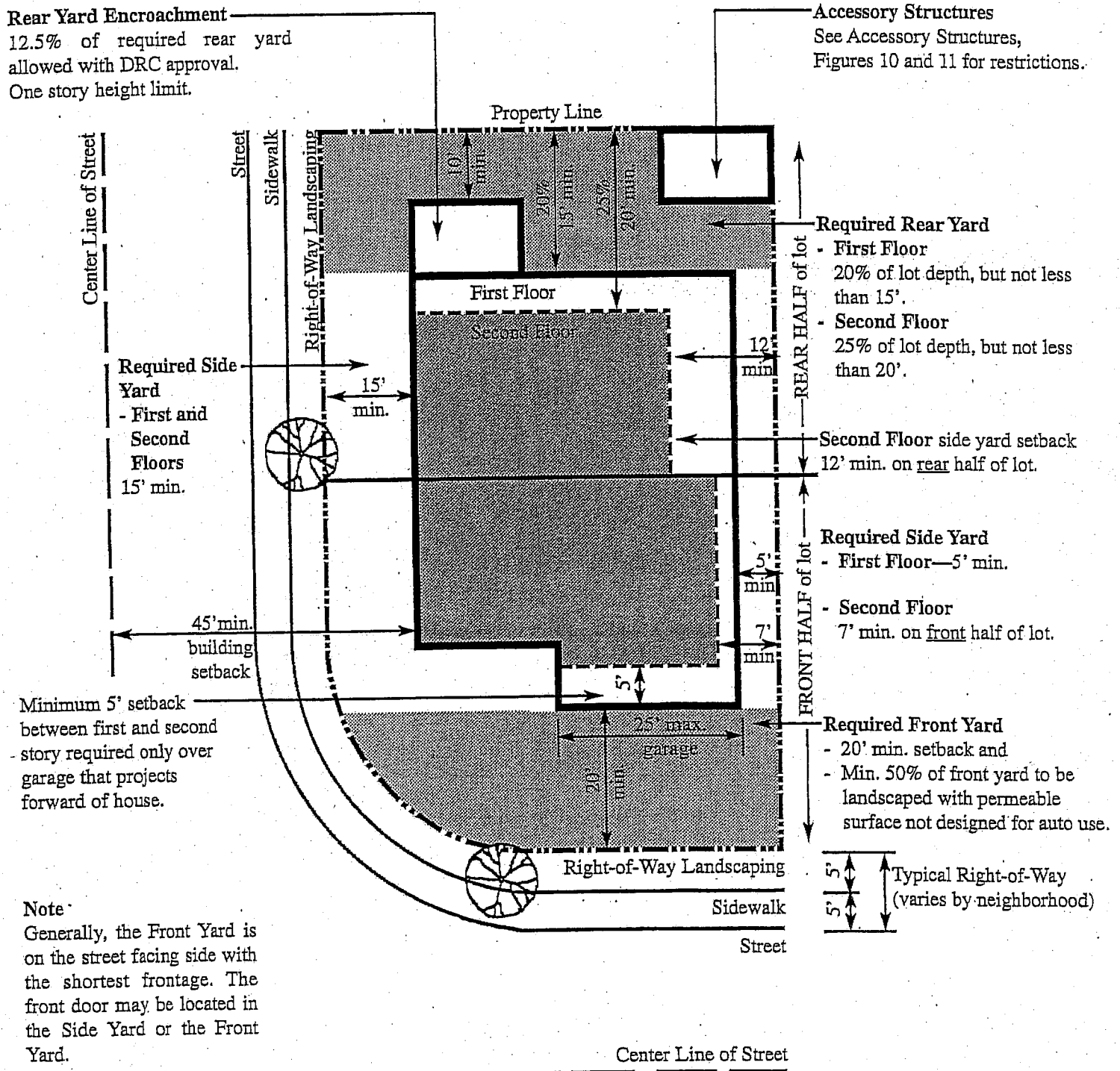
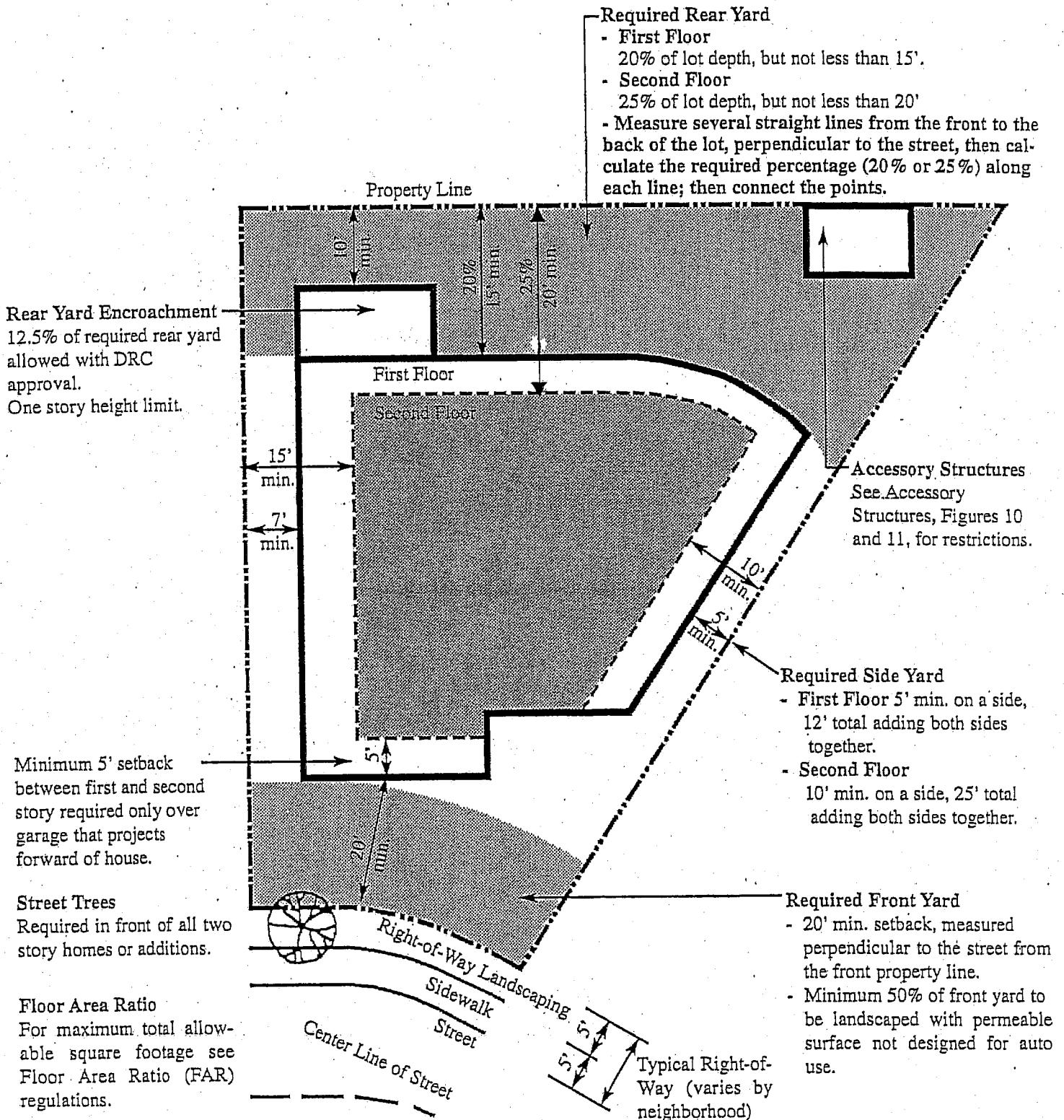


Figure 3

# R1 District Lots Irregular Shapes Greater than 65' Wide: Setback Requirements



Setback requirements to be used in conjunction with the provisions of the R1 Zoning Ordinance and the Design Guidelines for Single-Family Homes

## **CORNER LOTS**

### **Which Is My Front Yard if I Live on a Corner Lot?**

For zoning purposes, the front yard is typically on the side of your home with the shortest street frontage unless, at the time of development, the longer frontage was designated by the owner/builder to be the front. If you are confused about your frontage, contact the Community Development Department. (Section 36.3)

## **SETBACKS**

### **What Are Setbacks?**

A setback is the open area between a property line and a structure. Required setbacks tell you how far from your property line a building must be located. (Section A36.12.030.A)

### **Do Setbacks Change for Different Building Heights?**

Setback requirements become greater as a building gets taller.

#### Setbacks for a Typical Lot 40' to 65' Wide:

For the first floor, the setback requirements are:

- Front yard setback is 20'.
- Side yard setbacks are 5' minimum on a side, 12' total adding both sides together.
- Rear yard setback is 20 percent of the lot depth with a minimum of 15'.

For the second floor, the setback requirements are:

- Front yard setback is 20'.
- Side yard setbacks are 7' minimum on a side, 15' total adding both sides together for the front half of the lot. The setback for the rear half of the lot is 12' for each side.
- Rear yard setback is 25 percent of the lot depth with a minimum of 20'. (Section A36.12.030A)

### **How May I Determine My Setbacks?**

There are minimum requirements for the front yard, side yard and rear yard setbacks for all homes. The requirements are different for the first and second story. The following illustrations show setback requirements for various lot sizes in Mountain View. Please refer to the lot with dimensions similar to your own.

## **BUILDING WITHIN SETBACKS**

### **Can I Build Anything in the Required Setback Area?**

A portion of your principal structure may extend into the required rear yard setback area if it is only one story high and conforms to the design of the main building. The projection must be 10' from the rear property line and cannot cover more than 12.5 percent of the required rear yard. Review and approval by the Development Review Committee (DRC) is required. (See Section III, Zoning Review Processes.) (Section A36.12.040.I.2)

Accessory structures detached from the principal structure are allowed to be built in the required setback area. See Accessory Structures on Page 12 for further information.

### **What About Architectural Projections within the Required Setback?**

Decks, stoops, landings, concrete patios and other architectural features eighteen inches (18") or less in height above natural grade may encroach into any side or rear yard to the property line, provided the structure causes no drainage into adjacent properties. (Section A36.12.040.I.3)

Architectural features attached to the principal or accessory structures which are not part of the habitable interior area (e.g., eaves and overhangs, brackets, canopies, cornices, awnings and chimneys) and first-floor bay windows (no

more than 12' in length), open porches, trellises and fire escapes, may also project into the required setbacks. The maximum first-floor projections are:

- 2' into the minimum side yard setback.
  - 6' into the front yard setback.
  - 6' into the rear yard setback.
- (Section A36.12.040.I.4)

Architectural features attached to the second floor of the principal structure which are occupiable, such as bay windows (no more than 12' in length), balconies and fire escapes, may project 6' into the front yard setback, but no habitable second-story projections into the side or rear yard setbacks are allowed. (Section A36.12.040.I.5)

Second-story decks are limited to a total of 150 square feet and can only be located on the front and rear of houses and on a side yard facing the street on a corner lot. When located on the rear of a house, an additional 5' setback is required.

### **Exceptions to Setback Regulations for Minor Additions and Home Improvements.**

Exceptions to the setback regulations for construction of home improvements and minor additions may also be granted by the Development Review Committee. The purpose is to accommodate the upgrading of specific areas within existing houses by allowing minor yard encroachments which

would otherwise not be allowed. See Page 17 for further information on the exception approval process.

**What About Adding onto My House Which Is Already Located in a Required Setback?**

Any building, or portion of a building, which is located within a required setback is called nonconforming. The Zoning Ordinance allows these buildings to remain for their normal structural life. However, any addition to a nonconforming building must follow the current development regulations.

If an existing nonconforming building is expanded to more than twice the size of the original structure, the whole building must conform to the current development regulations of the district. (Section 36.29.3.)

## **FAR**

### **What Is Floor Area Ratio or FAR?**

Each single-family residential property is permitted to have a maximum number of square feet of building or floor area. The ratio used to determine allowable square footage is known as the Floor Area Ratio or FAR. (Section A36.12.030.A.4)

The FAR for a lot is a measurement for limiting the bulk and mass of structures which occupy the lot. The measurement is expressed as a ratio of the house size to the lot size. The number is calculated by dividing the total square footage of all structures on the property by the total square footage of the property. In other words, the size of the house is divided by the size of the lot in order to determine the FAR.

Mountain View has a sliding-scale FAR based on lot size. There are also major and minor FAR exceptions available if certain criteria are met. See Sections A36.12.030.A.4 and A36.12.040.I.2. Refer to the following table to see your allowable FAR.

**FAR Table**

<b>Lot Size</b>	<b>FAR</b>	<b>Max Increase Over Basic FAR with Major Exception Permit</b>
< 5,000 sf	.45	10 percent
5,000 sf	.45	10 percent
6,000 sf	.44	10 percent
7,000 sf	.43	10 percent
8,000 sf	.42	10 percent
9,000 sf	.41	10 percent

> 10,000 sf .40 10 percent

For lot sizes in between those listed above, the floor area is calculated to three decimal places. For example, the allowable FAR for a 6,500 square foot lot is .435. To calculate the FAR for your particular lot, you may apply the following formula:

$$\text{FAR} = .50 - (.00001 \times \text{Lot Area})$$

### **How Can I Determine the Maximum House Size Permitted on My Lot?**

To determine the maximum amount of building floor area allowed for your lot, multiply the square footage of your lot by the FAR figure for your lot size. Within the R1 District, it is possible to receive a Major or Minor FAR Exception. A Minor FAR Exception permits an additional 75 square feet beyond the FAR limit where it can be demonstrated that the additional floor area is only intended to increase the habitability and function of a particular area or room of the structure. A Major FAR Exception allows a floor area up to 10 percent greater than the base floor area provided it meets a list of specified criteria concerning your unique circumstances. Major and Minor FAR Exceptions are only allowed for existing structures. Section III, Zoning Review Processes, describes the approval process.

### **What Counts Toward FAR?**

All building floor areas (measured from outside wall to outside wall), including multiple levels and garages, must be counted. All accessory structures, such

as detached garages and carports; storage sheds; enclosed patios; and any other fully enclosed habitable space are also added into the total building square footage.

The total area of each floor must be counted. A double-height room will be counted as two floors if the average floor-to-floor or floor-to-roof height is greater than 15'.

If habitable space is under a sloping roof, any area where the wall height is 5' or greater is counted as floor area.



## HEIGHT

### How High Can I Build?

All principal structures are subject to a maximum height limit of 28' and a maximum of two stories. Accessory structures are limited to one story and a 16' height limit. The building's height is measured from the height of the curb to the top of a flat roof or to the ridge of a gable roof. (Section A36.12.030.A.3.)

The maximum height of the first floor, measured to the top of the wall plate, is 15'. The maximum second floor wall height is 22'.

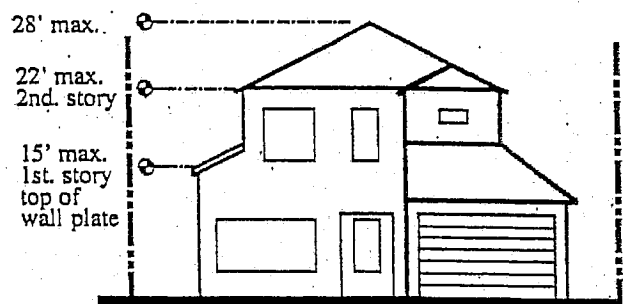
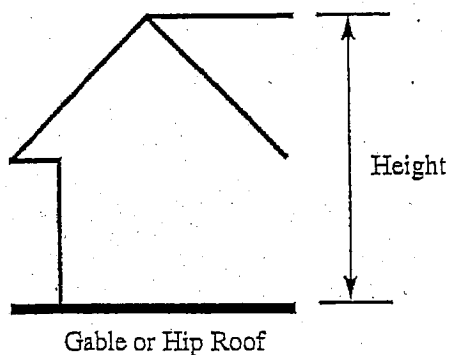
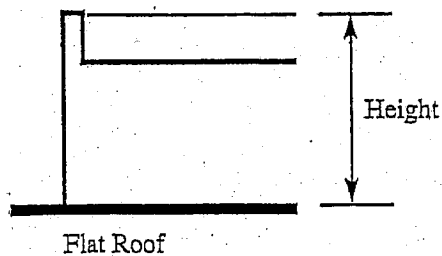
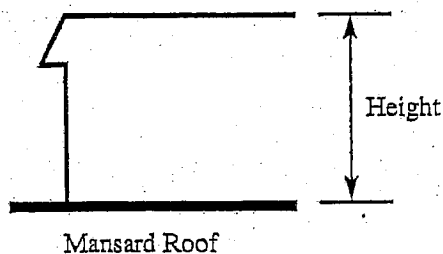


Figure 12

## **ACCESSORY STRUCTURES**

### **What Is an Accessory Structure?**

Accessory structures are buildings which are usually detached and subordinate to the main house. Examples of accessory structures are: gazebos, greenhouses, storage buildings, enclosures for pool equipment, detached carports, detached garages and patio elements such as arbors and trellises. All accessory structures are counted toward your total FAR for your lot. (Section 36.12.040.G)

### **Are There Any Special Requirements for Accessory Structures?**

There are two classifications of accessory structures; small and large accessory structures. See Section A36.12.040.G.3 and Figures 10 and 11 for specific standards.

## **PARKING**

### **How Much Parking Is Required?**

Two parking spaces are required for the principal dwelling, one of which must be covered. Parking may be covered by either a garage or a carport. An additional space is required for each bedroom of a companion unit. Covered parking spaces are a minimum of 9' x 20'. Anytime you are proposing a building addition on a property which currently does not meet the covered parking requirement, you are required to include covered parking.

## **DRIVEWAY WIDTH**

### **How Wide Can I Build My Driveway?**

Lots with one-car garages are allowed a maximum 20' wide driveway in the area visible from the street for vehicle parking. Lots with two- or three-car garages are allowed a maximum 30' wide driveway in the area visible from the street for vehicle parking. (Section A36.12.030.A.6) For minimum driveway standards, see Section 36.37.090.E.

## **GARAGE WIDTH**

### **How Large a Garage Can I Build?**

For lots less than 75' wide, a garage which faces the street may not exceed 25' in width. On lots that are more than 75' wide, the garage facade may be up to 35' wide. See Section A3.12.040.G for limits on widths of accessory structures, including detached garages. (Section A3.12.030.A.4.5)

## **FRONT YARD LANDSCAPING AND PAVING**

### **How Much of My Front Yard May Be Paved?**

At least 50 percent of the area of your required front yard must be landscaped, with permeable surface not designed for automobile use. (Section A36.12.030.A.3)

# Requirements for Small Accessory Structure

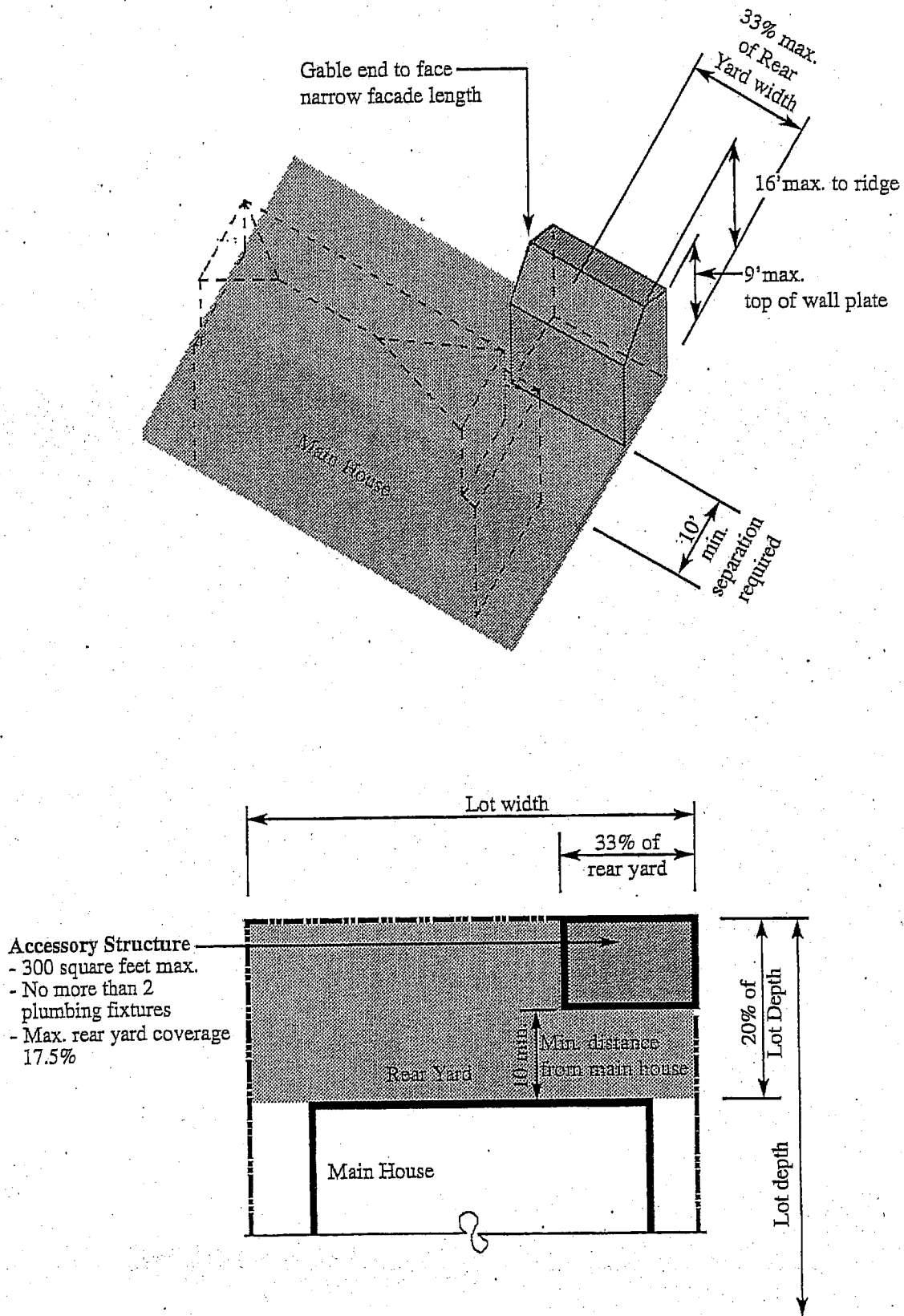


Figure 10

# Requirements for Large Accessory Structure

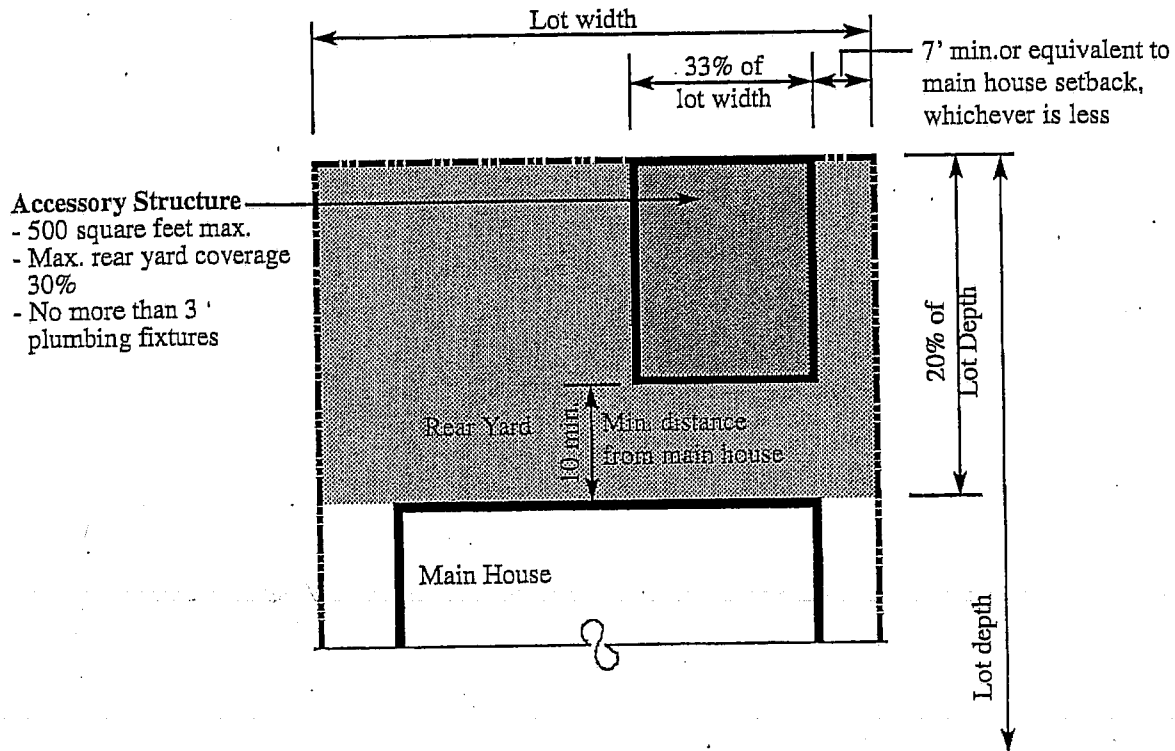
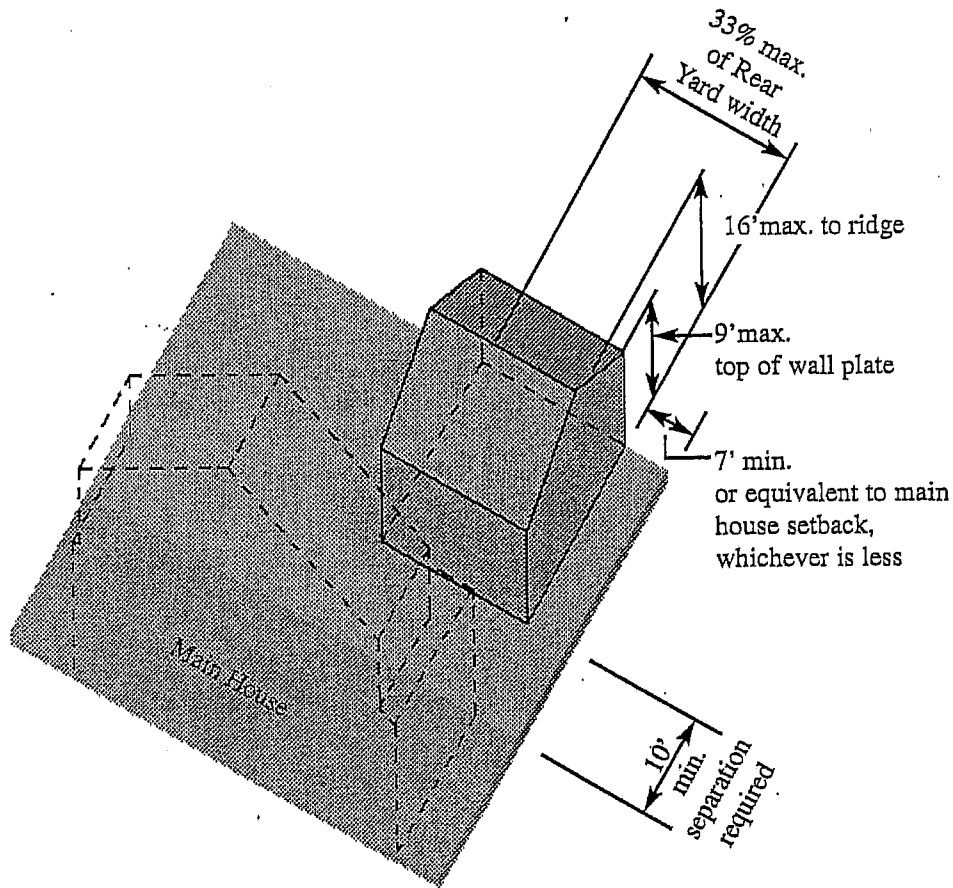


Figure 11

## **FENCES**

### **What Height Is Allowed for Fences?**

Side yard and rear yard fences can be a maximum height of 6'. You may apply to the DRC to increase the height up to 7'. For fences within the front yard setback, the maximum height is 3'. Open-latticed trellises and arbors used as entry features are allowed in the front yard setback and are limited to 8' in height, 5' in width and 3' in depth. (Section A36.10.030.D.3)

For corner lots, any fence within 35' of the intersection (measured from the property or street right-of-way line) is limited to a maximum height of 3' for safe visibility.

These height regulations also pertain to any vegetation such as hedges. A hand-out about fences can be obtained at the Community Development Department. Please contact a Planner if your lot is a corner lot or a lot of unusual shape.

# Fence and Wall Standards

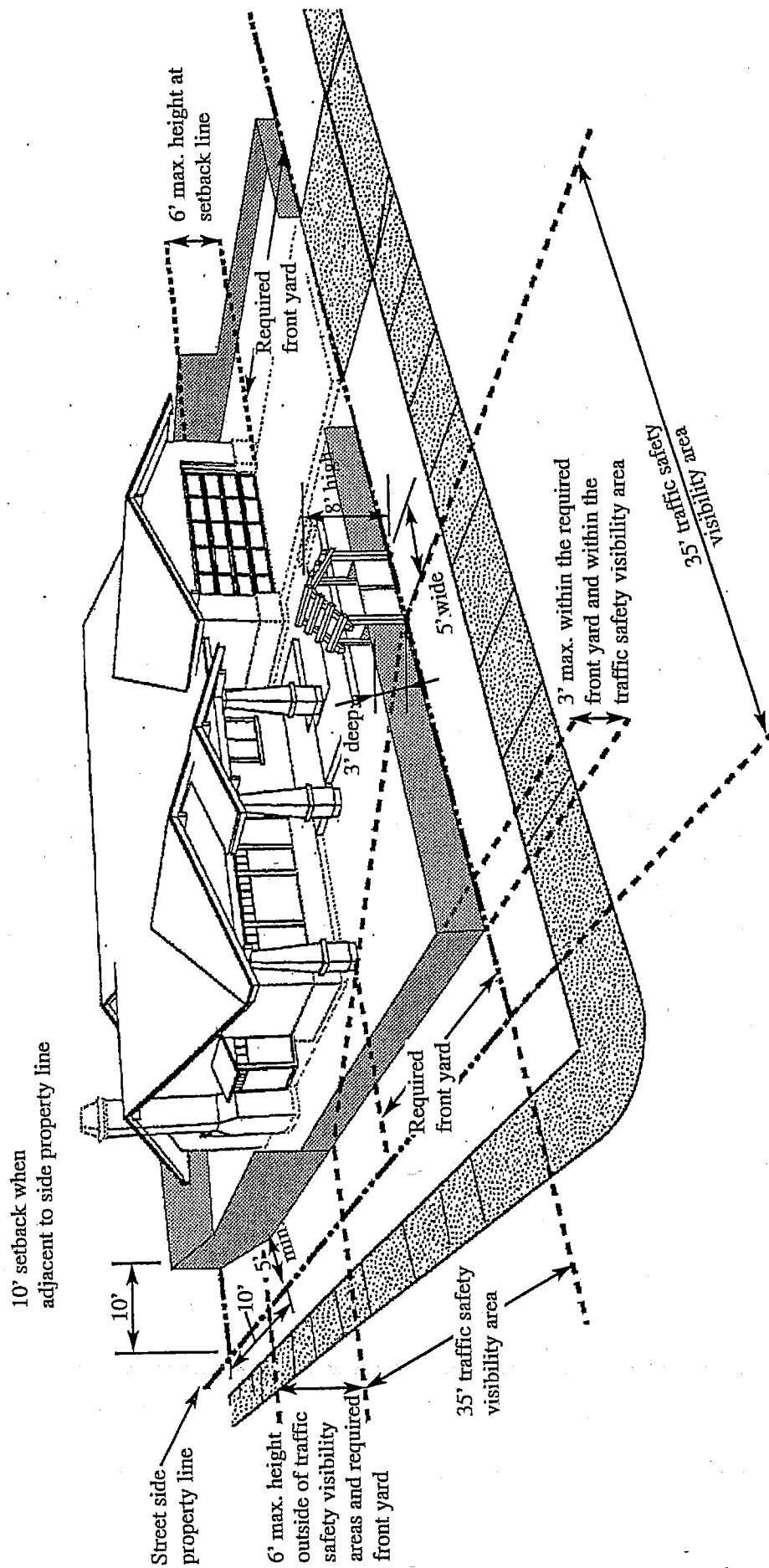


Figure 13

## **NONCONFORMING STRUCTURES**

### **What Are Nonconforming Structures?**

A nonconforming structure is one which does not meet the current requirements of the Zoning Ordinance, but which was legal at the time it was built.

### **What Are the Rules about Existing Nonconforming Structures?**

As long as the structure was legal at the time it was built, meaning that it conformed to the codes at that time and was built with required permits, it may remain for the structural life of the building. If the structure was built without proper permits, the structure would need to be approved retroactively in order to be a legal nonconforming structure.

### **What Are the Rules for Adding onto Nonconforming Structures?**

Additions to nonconforming structures are permitted as long as the addition portion meets all current zoning requirements. However, if the house is being expanded to more than twice its original size, the entire structure must be brought into conformance with current zoning standards. (Section 36.29.3.i)

## **HERITAGE TREES**

### **What Are Heritage Trees?**

A Heritage tree is defined as any tree which is greater than 48" in circumference when measured 54" above the ground. Also, for oaks, redwoods and cedar trees, the minimum circumference to be considered a Heritage tree is 12". The City Code states that because these trees enhance the scenic beauty of the City and protect property values, they may only be removed under certain conditions.

If removal of a tree is due to a building addition, a Heritage Tree Removal Permit is required to be reviewed and approved by the Community Development Department. If removal is not in conjunction with a development permit or a building permit, removal of a Heritage tree is reviewed and approved by the Community Services Department.

## **STREET TREES**

### **What Are the Rules Regarding Street Trees in Front of My Property?**

Street trees are the City-designated trees in the public right-of-way. They are either located in a planter strip next to the curb or in the landscaped area between the sidewalk and the front property line of a private property.

The Forestry and Roadway Landscape Division of the Community Services Department is in charge of all existing City street trees, including their maintenance. However, the property owner

is responsible for watering street trees. (Section 32.6 and 32.15.)

If you would like to have a City street tree removed from the front of your property, you need a permit from the Forestry and Roadway Landscape Division. Removal is strongly discouraged unless a tree is badly diseased or poses a safety threat or other type of problem. (Section 32.6.)

If you desire to add street trees in front of your property, contact the Forestry and Roadway Landscape Division (Community Services Department at (650) 903-6273 and the Public Works Department at (650) 903-6311).

If you are constructing a new residence or a new second story, you are required to plant street trees on your property if they do not currently exist or if they do not currently meet City specifications for tree spacing or if the existing street trees are diseased or dying. (Section A36.12.030.A.3) The Forestry and Roadway Landscape Division of the Community Services Department will determine the appropriate spacing and species for your neighborhood.

## **STREETS AND SIDEWALKS**

### **Who Is in Charge of the Street and Sidewalk Area in Front of My House?**

The Public Works Department oversees any issues related to the street area in front of your house. This area may be City-owned, or it may have been dedicated to and accepted by the City for street purposes, and is called the public right-of-way. It includes street paving,

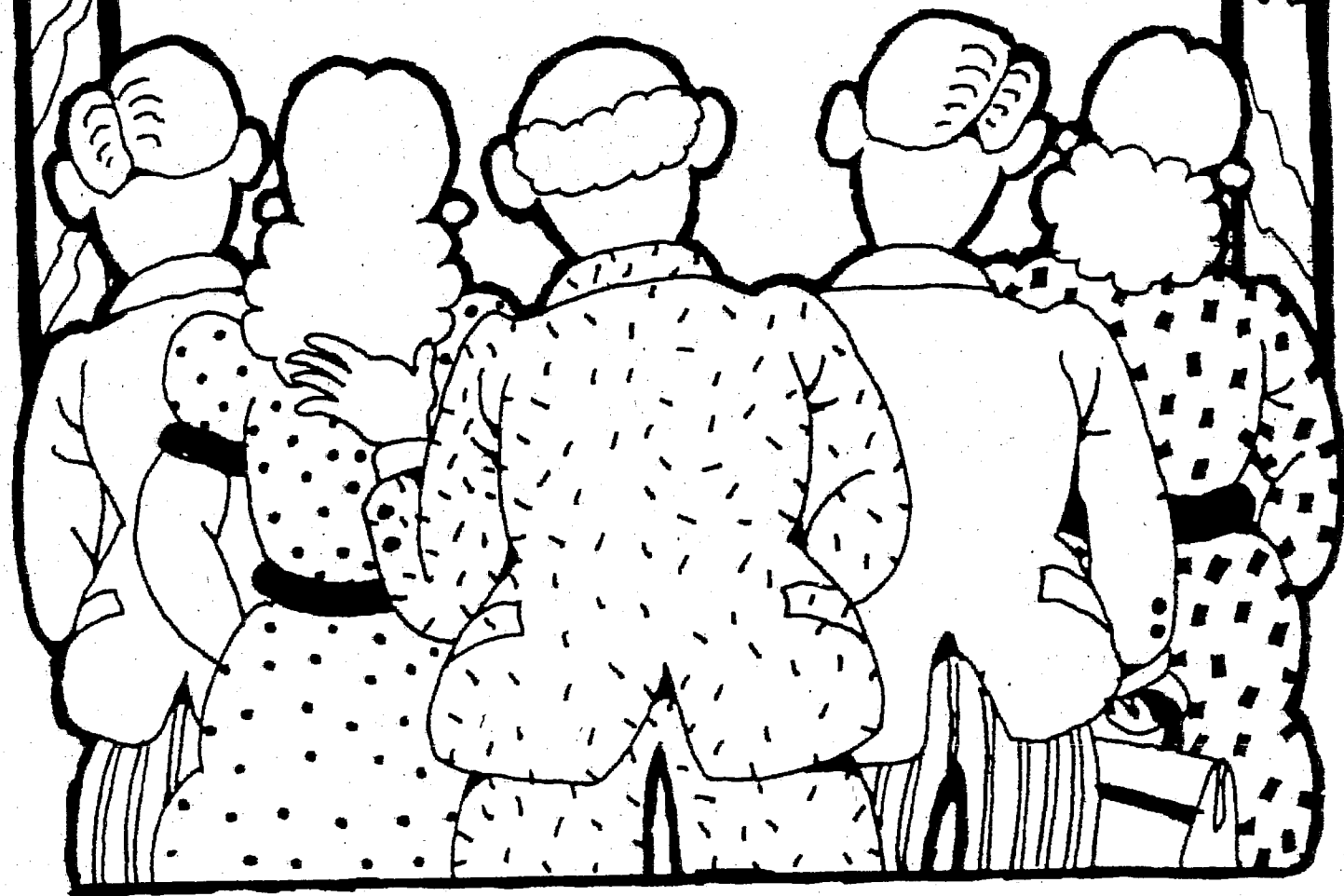
street trees, curbs, gutters, sidewalks and streetlights as well as utility lines under the street pavement.

Permits from the Public Works Department are required anytime a property owner wishes to do work in the right-of-way, including widening a driveway, planting street trees, repairing sidewalks, etc. The Public Works Department also requires permits for private structures such as fences that encroach into the public right-of-way.

The property owner is responsible for maintaining the sidewalk and the street right-of-way landscaping in front of his or her property. (Section 5610—Streets and Highways Code.)



# Zoning Review Process



### **III. ZONING REVIEW PROCESSES**

#### **A. TYPES OF ZONING PERMITS**

##### **OVERVIEW OF THE REVIEW PROCESS**

There are two categories of permits for single-family homes:

- Building permits which involve checking for compliance with all applicable zoning and building codes.
- Planning permits which involve discretionary review of design.

Building permits are needed for all remodels, additions and new construction. First, go to the Development Services counter and submit your plans to one of the Planners for a Zoning Ordinance compliance check. This review generally takes one to two weeks. After this review, you will need to apply for a building permit.

Planning permits are permits that are required for the various types of zoning exceptions for special circumstances and special permits. Homeowners are encouraged to meet with a planner to discuss a proposal before submitting an application. Planners can often help find solutions, offer feedback and give information which will make the process easier.

Mountain View is a city committed to enhancing its image, its livability and its

sense of community, but not at the expense or hardship of its property owners. City staff and the reviewing bodies work with the property owner to find solutions that work both for the property owner and the neighbors.

##### **FAR EXCEPTION What Are FAR Exceptions?**

Within the R1 District it is possible to receive a Major or Minor FAR Exception providing your project meets specific criteria concerning your unique circumstances. See Section A36.12.030.A.4 for specific requirements.

##### **Who Decides Whether to Grant a Major FAR Exception?**

The Zoning Administrator decides whether to grant Major FAR Exceptions (an up to 10 percent increase over the base floor area). The Zoning Administrator refers all of these applications to DRC for an evaluation of the site planning and architectural issues prior to the public hearing.

##### **Who Decides Whether to Grant a Minor Floor Area Exception?**

The DRC decides whether to grant a Minor FAR Exception (up to 75 square feet over the base FAR as described in the following section titled "Setback and Minor Floor Area Exceptions.")

## **CONDITIONAL USE PERMIT**

### **Why Would I Need a Conditional Use Permit?**

A conditional use permit is required if the R1 property will be used for anything other than single-family dwellings or permitted accessory uses. For example, a conditional use permit is required in order to add a second "companion unit" on a property.

### **Who Grants Conditional Use Permits?**

The Zoning Administrator reviews and rules on requests for Conditional Use Permits at a public hearing.

## **YARD ENCROACHMENTS**

### **What Types of Yard Encroachments Are Allowed?**

There are three types of yard encroachments specified in the Zoning Ordinance. The first type includes architectural projections, such as overhangs, brackets and chimneys, etc., which are allowed to encroach a specified distance. These are allowed by right and do not require a special planning permit.

The second type is one-story projections into the rear yard. The ordinance sets limits on the size and setback of the projection. The DRC reviews and decides on these types of applications.

The third type involves exceptions to setbacks as described in the following section.

## **MINOR SETBACK AND FLOOR AREA EXCEPTIONS**

Setbacks and Minor Floor Area Exceptions may be considered for minor additions to existing buildings. Exceptions are not allowed for new construction or when an existing house is being substantially demolished and reconstructed. (Section A36.12.040.I.1.a) Exceptions to setbacks may be allowed, providing it can be shown that the encroaching area is minor, involving one particular room or area, and is not detrimental to neighboring properties. For front, side and rear yard setbacks, the encroaching areas are limited to:

- A total of 50 square feet in area.
- 10' in any dimension.
- Encroaching no more than 3' into a required yard.  
(Section A36.12.040.I.1a)

A Minor FAR Exception may be allowed where it can be demonstrated that the additional floor area is only intended to increase the habitability and function of a particular area or room of the structure. The DRC reviews requests for minor setback and Minor FAR Exceptions.

## **VARIANCE**

### **What Is a Variance?**

A variance is an allowance to vary from the strict interpretation of the Zoning Ordinance because of practical difficulties or unnecessary hardships. An application for a variance must be sub-

mitted and a public hearing held. In order to grant a variance, the applicant must meet all three of the following criteria:

- There are exceptional or extraordinary circumstances which do not affect other land or buildings in the area;
- The granting of the application is necessary for the preservation of substantial property rights; and
- The request will not be detrimental to the neighborhood.

### **Who Grants Variances?**

The Zoning Administrator decides whether to grant a variance. The Zoning Administrator often refers variance applications to DRC for an evaluation of the site planning and architectural issues.

## **SMALL LOTS**

Mountain View has several neighborhoods with lots of very small size, or very narrow width, giving an unusual character to those neighborhoods. For lots less than 5,000 square feet in area, or less than 40' wide, there are special zoning regulations. The design guidelines for single-family homes provide recommendations specific to small lots. Any addition or new construction must demonstrate substantial compliance with these recommendations. In addition, there are zoning regulations which pertain to small lots.

### **What Are Setback Requirements for Small Lots?**

Refer to the illustrated setback requirements in Section II for setback requirements specific to small lots.

### **What Is the Allowable FAR for Small Lots?**

The FAR for small lots is .45. It is possible to be granted a Major FAR exception of up to 10 percent more than allowed under the base FAR. The same criteria for FAR exceptions on typical lots exist for lots of small size.

### **Who Reviews Small Lots?**

The DRC reviews additions and new construction on small lots for consistency with the Zoning Ordinance and the Design Guidelines for Single-Family Homes.

## **COMPANION UNITS**

Companion units are allowed in the R1 District by applying for a Conditional Use Permit, providing it can be shown that a stable residential environment will be achieved. See Section A36.12.040.B for special development regulations for companion units.

### **How Large a Lot Do I Need to Accommodate a Companion Unit?**

Your lot must be at least 35 percent larger than the minimum lot size required by your district.

### **How Large Can a Companion Unit Be?**

The companion unit is limited to 700 square feet with an additional 200 square feet allowed for a covered parking space.

### **Where Can a Companion Unit Be Located?**

Companion units can be a detached unit, attached to the main house at ground level or be on the second story above an attached or detached garage. If the companion unit is detached, it must be separated from the main house by at least 10', be located on the rear half of the lot and be a minimum of 10' from the rear property line. The companion unit, together with any other structures on the lot, may not cover more than 30 percent of the required rear yard. If the companion unit is connected to the house or garage, it must be within the standard setbacks of the principal structure.

### **What Other Considerations Are There for Companion Units?**

The design of the unit should be consistent with the design of the main building and sympathetic to the sunlight and privacy of the surrounding neighbors. At least one parking space shall be provided for each bedroom in the companion unit in addition to the two required for the main building. The location of the parking spaces should minimize disruption to neighbors and to the neighborhood character.

### **Who Rules on Companion Units?**

The Zoning Administrator decides whether a companion unit meets the requirements of the Zoning Ordinance. The Zoning Administrator refers companion unit applications to DRC for an evaluation of the site planning and architectural issues.

## **B. THE DRC AND ZONING ADMINISTRATOR REVIEW PROCESS**

### **What Is the Purpose of DRC and Zoning Administrator Review in Single-Family Neighborhoods?**

The DRC and Zoning Administrator review are only required for single-family homes when the homeowner requests some type of exception from standard zoning rules. In these cases, the review bodies evaluate:

- The magnitude of the request.
- Its impact on adjacent homeowners.
- Its impact on neighborhood character.
- The impact on the applicant if the request is not granted.

Most importantly, the reviewing bodies must consider the specific criteria established in the Zoning Ordinance for each type of exception. In making a decision, the reviewing body seeks to balance the needs and desires of the individual homeowner with the rights and interests of neighbors. The reviewing body also seeks to ensure a minimum level of design quality in order to protect the stability of property values.

### **Tell Me About the Decision-Making Bodies—DRC, Zoning Administrator, City Council and the Environmental Planning Commission.**

The DRC is composed of a designated Community Development Department staff person (usually the Deputy Zoning

Administrator) who serves as chairperson and two or three professional architects who serve as consultants. Representatives of other City departments such as Fire and Public Works also give input.

The Zoning Administrator is the Community Development Department staff person who functions as the judicial administrator to hold public hearings and review development projects. The Zoning Administrator is empowered to make the final decision on variances and conditional use permits, makes recommendations on projects that go to the City Council for the final decisions such as planned unit developments with four or more units and projects in planned districts. The Zoning Administrator also decides questions and interpretations related to the Zoning Ordinance.

The Environmental Planning Commission has the task of reviewing all planning policy issues, including precise plans, rezoning applications, Zoning Ordinance changes and the General Plan, but it does not review individual projects.

The City Council is a seven-member body elected to govern the City of Mountain View. They review and decide any appeals of DRC and Zoning Administrator decisions. They also make the final decision on all rezoning, precise plans, General Plan, planned

unit development projects with four or more units and tentative maps, and review major projects and projects that are in planned districts.

## **DRC**

### **How Does the DRC Review Process Work?**

The DRC generally meets twice a month on Thursday afternoon (see City of Mountain View DRC Hearing Schedule). Applicants are required to submit a complete application a minimum of two weeks prior to a scheduled DRC meeting. Applicants are encouraged to schedule informal meetings with staff to obtain input and direction prior to submitting the complete application.

During those weeks before meetings, a Planner reviews the project for completeness, potential environmental impact, compliance with zoning, fit into the neighborhood and overall quality of the project. The other City departments also review the proposed project and send the Community Development Department their comments. Typically, the only public notice of items on DRC agendas is the posting of the agenda at prominent City facilities.

Applicants are generally asked to attend the DRC meeting. The applicant should verify the date and agenda order for their items with the Community Development Department secretary at (650) 903-6306 two days prior to a DRC meeting, since agendas are not mailed out prior to the meeting.

If, after reviewing the application and visiting the property, the staff determines that the item is very minor in scope and requires only an administrative staff review without the full DRC, then they may phone the applicant to discuss the application and possibly schedule a separate meeting time.

At the DRC meeting, the Committee discusses the project and then decides to either approve the project, deny it or continue it with recommendations for revisions. The criteria for DRC decisions are specified by City and State ordinances. A written Findings Report that contains the conditions of approval for the application is prepared by the Planner and mailed to both the applicant and the property owner, generally within two to three weeks of the meeting.

## **ZONING ADMINISTRATOR**

### **How Does the Review Process Work with the Zoning Administrator?**

The Zoning Administrator holds public hearings twice a month on Wednesday afternoon (see City of Mountain View Zoning Administrator Hearing Schedule). Completed applications must be submitted a minimum of three weeks prior to a scheduled Zoning Administrator hearing. Owners of all properties within 300' of the proposed project site are notified and invited to attend the hearing.

As in the DRC review process, the Planning staff reviews the applications for completeness, potential environmental impacts, compliance with zon-

ing, fit into the neighborhood and overall quality of the project. Other City departments also give comments and conditions.

The Zoning Administrator may also refer the application to the DRC for a formal review of the architectural and site plan aspects of the proposal. If it is referred to the DRC, it will be scheduled for a DRC meeting prior to the Zoning Administrator hearing; that is to say the Thursday prior to the Wednesday Zoning Administrator hearing.

### **What Happens at the Meetings and Public Hearings?**

Applicants are asked to attend the public hearings and describe the project. At the meeting, the DRC or Zoning Administrator hears testimony from any other people who wish to give comments.

On the basis of the staff review and the public testimony, the DRC or Zoning Administrator acts to either approve the project, deny it or continue it to allow the applicant to respond to the comments. The criteria for DRC and Zoning Administrator decisions are specified by State and City ordinance.

Written Findings Reports that contain the conditions of approval for the application are prepared and mailed to the applicant and the property owner, generally within two to three weeks of the meeting.

## **CEQA**

### **What Is the State Law Regarding Evaluation of Environmental Impacts?**

The California Environmental Quality Act (CEQA) requires that the City conduct environmental review to determine whether a proposed project could have significant environmental impacts. Almost all single-family home additions and construction are exempt from this requirement. However, for a subdivision that includes construction of more than three homes, an initial study of environmental impact may be required. (See Community Development Department handouts regarding CEQA review for information on this issue.)

## **REVIEW TIME**

### **How Much Time Does the DRC and Zoning Administrator Review Process Take?**

The Permit Streamlining Act requires that applications for most single-family homes and additions are acted upon no more than 60 days after a complete application is received. The applicant may request additional time if desired.

Once in awhile if the DRC or Zoning Administrator agendas are full, an item will have to be carried over to a subsequent meeting. Another circumstance that can substantially lengthen the review process is if the project has potentially significant environmental impact(s) that require further review and study.



One step that is important in speeding up the process is submitting a complete application that includes all the items listed on the Required Application Materials handout. Under State law, Planning staff has 30 days to determine if the application is complete. Generally, Planning staff does it much faster; but in any case, applications that are incomplete will not be scheduled for a meeting until all required materials and fees are submitted.

If an application is complete and the project meets the criteria specified in the Zoning Ordinance, a project may be acted on at the first review meeting. In other cases, the applicant will need to make revisions to respond to comments and submit revised drawings for further review(s). Applicants are encouraged to meet with Planning staff prior to preparing complete detailed applications in order to get preliminary staff input.

## **DECISION**

### **What if I Disagree with the Decision Made by DRC or the Zoning Administrator?**

Any decision made by the DRC or the Zoning Administrator may be appealed to the City Council. There is an appeal period of 10 calendar days which starts from the date on the Findings Report. No building permits for the project may be issued until the appeal period has ended. Anyone, including a City Council person, may appeal the decision. Appeals are filed at the City Clerk's Office, and there is a fee.

## **BUILDING PERMIT**

### **Once the Community Development Department Approves the Project, When Can I Apply for a Building Permit?**

Almost all projects reviewed by the Zoning Administrator and DRC require a building permit before any construction can begin. In order to apply for a building permit, an applicant must wait approximately two to three weeks to receive the written Findings Report approving the project. A building permit cannot be issued until the appeal period (10 calendar days from the date of the Findings Report) has ended.

## **THE REVIEW PROCESS FLOW CHART**

The diagram which follows gives an overview of the review process and an approximation of the time involved in each step. Mountain View has a strong policy of public service excellence. In that spirit, the Community Development Department staff tries to inform applicants fully about City Codes and policies and to suggest positive approaches to project design to help speed the review process. The City sees this process not as just a set of regulations but as a constructive process that improves the visual appearance and property values throughout our community.

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# PROJECT REVIEW PROCESS

## PREPARING AN APPLICATION

Obtain copies of applicable Zoning Ordinance regulations and talk to Planning Staff

## SUBMITTING AN APPLICATION

Submit application

0 to 30 days

If application is incomplete, prepare additional materials

Application complete

## PROJECT REVIEW

**PROJECT REVIEW**  
Project Planner analyzes project, distributes to other City departments for comments, sends out public notices if required.

2 to 3 Weeks

DRC Hearing

May refer to DRC for comments

Zoning Administrator Hearing

## DECISION

Project Decision

Continued for Revisions, Prepare Revised Drawings and Resubmit

Project Approved

2 to 3 Weeks

## APPEAL PERIOD

Receive Findings Report

10 days

Appeal Period Ends—Applicant may apply for Building Permits